



AF/1631  
PATENT ~~16~~

ATTORNEY DOCKET NO. 056100-5027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Se-Jin LEE )  
 )  
Application No.: 08/966,233 )  
 )  
Filed: November 7, 1997 )  
 )  
For: GDF-1 GENE )

Group Art Unit: 1631  
Examiner: M. P. Allen

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H/S Plunkett  
5/22/03

Commissioner for Patents  
Washington, D.C. 20231

Sir:

APPEAL BRIEF TRANSMITTAL FORM

1. Transmitted herewith is an Appeal Brief submitted in triplicate with Exhibits A-H responding to the Office Action dated April 1, 2003. A one-month extension of time is provided below, thus this response is timely filed prior to June 1, 2003.

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

[ ] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

[X] Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[X] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 410.00	\$205.00
[ ] three months	\$ 930.00	\$465.00
[ ] four months	\$1,450.00	\$725.00

Extension of time fee due with this request: **\$55.00**

If an additional extension of time is required, please consider this a Petition therefor.

3. **Fee Payment**

[X] The Commissioner is hereby authorized to charge deposit account no. 50-0310 in the amount of:

Appeal Brief Fee	\$ 160.00
Two-month extension of time	<u>55.00</u>
	<b><u>\$ 215.00</u></b>

4. **Constructive Petition**

[X] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: **May 14, 2003**

By:

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